



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/657,411  
Filing Date: September 8, 2003  
Applicant: Mauer et al.  
Group Art Unit: 3726  
Examiner: David P. Bryant  
Title: SELF-PIERCING RIVET, PROCESS AND DEVICE FOR  
SETTING A RIVET ELEMENT, AND EMPLOYMENT  
THEREOF  
Attorney Docket: 0275M-000768

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**ELECTION UNDER 35 U.S.C. §121**

Sir:

In response to the Restriction dated December 3, 2004, Applicants' representative hereby provisionally elects Group II, Claims 21-40, for further prosecution on the merits, but with traverse. It is not believed that searching and examining all of the alleged groups and claims, especially those of combined Groups I and II, will pose an undue burden on the Examiner. Furthermore, the Examiner has not set forth a prima facie case for restriction. Thus, reconsideration is respectfully requested. Moreover, new Claims 51-76 and the amended claims herein all fall within the elected Group II.

Respectfully submitted,

Dated: Dec. 29, 2004

By: 

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